

REMARKS

Please reconsider the application in view of the following remarks. Applicant thanks the Examiner for carefully considering this application and indicating that claims 3-9, 11, 12, 14, 22-31, 33-36, 39, 40, 42, 43, and 45-50 are allowed, and for indicating that claims 13 and 15-20 contain allowable subject matter.

Disposition of Claims

Claims 1-9, 11-20, 22-31, 33-36, 39, 40, 42, 43, 45-50 were pending in the present patent application. By way of this reply, claims 13 and 33 have been cancelled without prejudice or disclaimer. Also by way of this reply, claim 51 has been added. Accordingly, claims 1-9, 11, 12, 14-20, 22-31, 34-36, 39, 40, 42, 43, 45-51 are now pending in the present patent application. Claims 1, 4, 8, 9, 11, 12, 22, 28, 34, 39, 43, and 51 are independent. The remaining claims depend, either directly or indirectly, from claims 1, 4, 8, 9, 11, 12, 22, 28, 34, 39, and 43.

Claim Amendments

By way of this reply, independent claim 1 has been amended to incorporate the allowable subject matter of now-cancelled dependent claim 13. Also by way of this reply, independent claim 51 has been added. No new matter has been introduced by way of this addition as support for this addition may be found, for example, in paragraph [0038] of the published specification and in the originally filed claims.

Drawings

Applicant respectfully requests the Examiner acknowledge the formal drawings filed on February 21, 2002, and indicate whether they are acceptable.

Rejections Under 35 U.S.C. §102

Claims 1, 2, and 20 stand rejected under 35 U.S.C. §102(e) as being unpatentable over U.S. Patent No. 6,501,731 issued to Yu et al. (hereinafter “Yu”). Independent claim 1 has been amended to include the allowable subject matter of now-cancelled dependent claim 13. Accordingly, amended independent claim 1 is patentable over Yu. Claims 2 and 20 depend directly from amended independent claim 1 and are allowable for at least the same reason. Accordingly, withdrawal of this rejection is respectfully requested.

New Claims

Independent claim 51 recites, in part, “wherein speculatively allocating the first resource comprises using a scheme allocating the resource to the user with the fewest requests.” Applicant respectfully asserts Yu is silent regarding an allocation scheme based on the user with the *fewest requests* as recited by the claims. Accordingly, independent claim 51 is patentable over Yu.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591

Application No.: 10/080,135

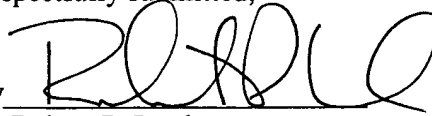
Docket No.: 33226/944001; P6999

(Reference Number 33226/944001; P6999).

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Respectfully submitted,

By

A handwritten signature in black ink, appearing to read 'R. Lord', written over a horizontal line.

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